THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/S) No. 101 of 2006

Dhyan Singh S/O late Inder Singh,
R/O Garhi Maichak, Tehsil Rishikesh,
Paragan Pachhwadun, District Dehradun.

… Petitioner.

Versus

1. State of Uttaranchal (Secretary Revenue, Govt. of Uttaranchal,
2. Assistant Collector Ist Class, Rishikesh, District Dehradun,
3. Sumer Singh, S/O Kalyan Singh,
   R/O Garhi Maichak, Tehsil Rishikesh
   Paragan Pachhwadun, District Dehradun.

… Respondents.

Sri K.S. Verma, learned counsel for the petitioner.
Sri Nand Prasad learned counsel for the respondent no.1 & 2.

Dated February 15, 2006.

Hon'ble B.S. Verma, J.

Heard Sri K.S. Verma, learned counsel for the petitioner and Sri Nand Prasad, learned Standing Counsel.

The petitioner has filed this writ petition to issue a writ order or direction in the nature of mandamus directing the respondent no. 2 to decide Case No. 15 of 1991-92 (New No. 10 of 2002-03, Dhyan Singh Vs. Sumer Singh and Case No. 64 of 1995-96 Sumer Singh Vs. Dhyan Singh Under the provisions of the U.P.Z.A. & L.R. Act pending disposal before him expeditiously.

According to the petitioner the respondent no. 3 is playing delay tactics so as to linger-on the litigation between the parties and to cause injury to the petitioner. In the course of arguments, the learned counsel for the petitioner submitted that the ends of justice would be served if the respondent no. 2 is directed to decide the aforesaid two cases within time bound period. The prayer is innocuous.

Considering the facts and the circumstances of the case, I direct the Assistant Collector 1st Class, Rishikesh, district Dehradun to decide both the aforesaid cases, namely, Case No. 15 of 1991-92 (new No. 10 of 2002-03) Dhyan Singh Vs. Sumer Singh and Case No. 64 of 1995-96, Sumer Singh Vs. Dhyan Singh, pending disposal before him, expeditiously preferably within a period of six months from the date of production of certified copy of this order.

With the above observation, the writ petition is disposed of finally.

(B.S. Verma, J.)

15.02.2006.
RCP